

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 120

REGULAR MEETING

AUGUST 5, 2019

BE IT REMEMBERED that the Mayor and Board of Aldermen of the City of Pass Christian, Mississippi met on the above date at the Municipal Court Bldg., 105 Hiern Avenue, Pass Christian, Mississippi, at 6:00 p.m., same being the time and place for said meeting.

PRESENT: Mayor Chipper McDermott, Alderman at Large Kenny Torgeson, Alderman Anthony Hall, Alderman Buddy Clarke, Alderman Victor Pickich, Police Chief Freeman, Attorney Malcolm Jones and City Clerk Marian Governor

ABSENT: Alderwoman Regina Charlot,

There being a quorum present to transact the business of the City, the following proceedings were had and done.

ADMINISTRATIVE

Upon motion of Alderman Clarke, seconded by Alderman Hall, the Board approved unanimously, ratifying changing the Regular August 6, 2019 Board of Aldermen meeting to Monday, August 5, 2019 due to elections, as requested by Marian Governor, City Clerk.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, hearing from the One Book One Pass committee to present copies of this year's book *The Soul of America: The Battle for Our Better Angels* by Jon Meacham, as requested by Wendy Allard, Librarian.

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Upon motion of Alderman Torgeson, seconded by Alderman Hall, the Board approved unanimously, changing the Regular November 5, 2019 Board of Aldermen meeting to November 4, 2019 due to elections, as requested by Marian Governor, City Clerk.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, minutes of the July 11, 2019 Special Mayor and Board of Aldermen meeting, as requested by Dawn Sanders, Deputy City Clerk. A-4.

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Upon motion of Alderman Clarke, seconded by Alderman Hall, the Board approved unanimously, minutes of the July 16, 2019 Regular Mayor and Board of Aldermen meeting, as requested by Dawn Sanders, Deputy City Clerk. A-5.

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Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, rescinding resolution declaring the existence of local emergency within the City due to Tropical Storm Berry as requested by Mayor McDermott.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, re-appointing Eugene Russell to the Zoning Board Commission, term ending May, 2022, as requested by Chipper McDermott, Mayor.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, City's annual donation in the amount of \$2,000.00 allotted to the Pass Christian Police Reserve for the 2018-2019 budget, as requested by Dia'Mond Woodman, Representative. A-8.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, ratifying request from Pass Christian School District for use of and waiver of rental fee at Randolph Center on Monday, August 5, 2019 from 7:00 a.m. to 4:00 p.m. for Teacher Workshop, this bringing favorable notice to the resources and opportunities of the City, as requested by Lana Avery, PCES Representative. A-9.

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Upon motion of Alderman Clarke seconded by Alderman Torgeson, the Board approved unanimously, Resolution of Intent for the application with the Ms. Development Authority Cap Loan Program in the amount of, \$462,066 and authorize mandatory publication requirement of once a week for four consecutive week. (Have to redo to have public hearing on any feedback from citizens per MDA) As requested by Marian Governor, City Clerk. A-10.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, setting public hearing date for the CAP Loan application for September 3, 2019, as requested by Marian Governor, City Clerk.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, renewal of the Aids To Navigation lease with the US Coast Guard, as requested by Marian Governor, City Clerk. A-12.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, Consent and Waiver in favor of Shaggy's, LLC for Harbor Lease with City dated

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July 1, 2007, to allow Fierro, LLC, a partial equity owner, to assign its interest in Shaggy's, LLC to Shaggy's Holding Company, LLC as required by the City's Lease and authorizing the Mayor and City Clerk to sign same. A-13.,

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Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, recommendation of the interview committee to hire Tom Duffy as the Community Development Director at an annual salary of \$42,000 per year on a 90 day temporary trial basis, effective August 12, 2019, as requested by Mayor McDermott.

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Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, attached budget adjustment to transfer funds from Recreation to Administration to cover the wages/benefits for the admin floater and transfer Public Works wages available from the previous vacant position (S. Christmas) to Public Works operating budget with no increase to the budget just moving funds from one line item to another, as requested by Marian Governor, City Clerk. A-15.

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PLANNING DEPARTMENT

Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, City Planner's recommendation to approve Re-Subdivision Application PD-36-2019, 130 Fleitas Avenue, Tax Parcel #0313A-02-012.000. McGuire Design & Construction, Inc. propose dividing the parcel into three lots, in the T4+ Mixed-Use Zone, as requested by Danit Simon, City Planner. PD-1.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, illuminated sign for Keithco Petroleum for 102 E. Beach Blvd. location for new Donut shop in the Harbor Special District and as provided under the City Harbor Ordinance, as requested by Danit Simon, City Planner. PD-2.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, hiring Kevin Fitzpatrick as Acting Building Official and Code Enforcement Officer beginning on 8-5-19 at the salary rate of \$750 per week for 19 hours per week as an exempt professional employee and to assist new Building Official during transition when he begins work on August 12, 2019 for a period not to exceed 45 days.

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WATER DEPARTMENT

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, WPSCO invoice # 16569 in the amount of \$1,008.00 for June 2019 for non-emergency/overtime repairs per paragraph 2.09 and per current contract paragraph 2.04 "Hours of Operation" known as "Ten-Hour Rule" whereby WPSCO gives the City 10 hours of overtime per week and bills for hours in excess of. Charge to account 400-702-560, as requested by WPSCO. W-1.

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COURT DEPARTMENT

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, refund request of \$2,450.00 to Shirley Henderson. Ms. Henderson paid a cash bond of \$2,500.00 at the jail for David Henderson on May 8, 2019. On June 28, 2019 victim (Shirley Henderson) requested that the charge be withdrawn and was charged a \$50 withdrawal fee, as requested by Tina Dupree, Municipal Court Clerk. C-1.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, refund request of \$104.00 to Brady Coleman for overpayment of a fine. On June 21, 2019 Mr. Coleman used his debit card at the court office and our system froze. The transaction was canceled and Mr. Coleman paid cash. On June 24, 2019 the debit card transaction cleared his bank resulting in an overpayment of his fine, as requested by Tina Dupree, Municipal Court Clerk. C-2.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, refund request of \$20.00 to Sarah E. Young for overpayment of a fine on July 12, 2019. Total amount owed was \$569.50 but the defendant paid \$589.50, as requested by Tina Dupree, Municipal Court Clerk. C-3.

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HARBOR DEPARTMENT

Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, request to amend Ordinance 401 effective October 1, 2019, as follows and publish Ordinance summary, as requested by Harbor Master Tiller.

- Pleasure vessel utility fee from a flat rate of \$30.00 per month to \$1.00 per foot, based on the actual documented length of the vessel with a \$30.00 minimum.

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- Live-aboard fee from a flat rate of \$200.00 per month to a rate of \$5.00 per foot, based on actual documented length of the vessel with a \$200.00 minimum.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, request amend Ordinance 401 as follows and publish Ordinance Summary. Board approved free transient slip rental on the south side of Pier P-4 for Regatta's hosted by the Pass Christian Yacht Club, effective October 1, 2019, if such vessel will require utilities the rates will go as followed:

- Up to 30' - \$5.00 per day plus 7% Sales Tax
- 31' and up - \$10.00 per day plus 7% sales Tax
- Vessels unable to be accommodated by designated will pay normal transient rate at time of event

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Upon motion of Alderman Clarke, seconded by Alderman Hall, the Board approved unanimously, renewing the slip rental agreement MOA between the Mississippi Department of Marine Resources and City of Pass Christian to provide for the payment of \$1.00 per month for utilities to be charged for the Conservationist only if a change is made in the meter reading, effective October 1, 2019 thru September 30, 2020, as requested by Harbor Master Tiller. H-3.

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FIRE DEPARTMENT

Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board Approved unanimously, accepting letter of resignation from FF Eddie Walley effective August 5, 2019 and pay him for any comp-time and vacation pay per City policy that he may have accrued while employed, as requested by Fire Chief Gordon.

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POLICE DEPARTMENT

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, Memorandum of Understanding (MOU) between the Pass Christian Police Department and the Mississippi Attorney General's Office for Internet Crimes Against Children (ICAC) for the City's Police Department participation in the ICAC Task Force and authorizing Police Chief Daren Freeman to execute such MOU and take such action as shall be reasonable and necessary to accomplish these purposes. [There is no financial commitment for the City under this MOU.] P-1.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, accepting MS Department of Public Safety Police Traffic Services grant award in the amount of \$15,000 to the Pass Christian Police Department, as requested by Police Chief Freeman. P-2.

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Upon motion of Alderman Clarke, seconded by Alderman Hall, the Board approved unanimously, ratifying request to accept letter of resignation letter from reserve Officer Michael Nault effective August 1, 2019 and to remove him from the Part Time List, as requested by Police Chief Freeman.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, request to approve salary increase from certified officer pay of \$32,152 to Investigator pay of \$35,175, and bi-weekly hours of 84 hours to bi-weekly administrative hours of 80 hours effective August 6, 2019 for Investigator Jeffrey Hendrix, as requested by Police Chief Freeman.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, request to approve salary increase from uncertified officer pay of \$28,152 to certified officer pay of \$32,152, effective August 6, 2019 for Officer Ryan Henry. Officer Henry graduated from the Harrison County Law Enforcement Academy July 19, 2019, as requested by Police Chief Freeman.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, request from Pass Christian Police Department for use of City Courtyard (105 Hiern Avenue) on Tuesday, October 1, 2019 from 5:00 p.m. to 7:00 p.m. for the participation in the National Night Out Against Crime, this bringing favorable notice to the resources and opportunities of the City. This was previously approved on July 16, 2019 for a participation date of August 6, but had to be rescheduled due to elections.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, accepting donation of one Beverage Air refrigerator, SN# BR48101074, with an estimated value of \$4,000.00, from the US Customs and Border Protection for the Police Department, as requested by Police Chief Freeman.

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CONSENT AGENDA

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Marian Governor to a three-day 2019 Fall Master Municipal Clerk and Committee Academy from October 2-4, 2019 in Louisville, MS. Cost of session \$100.00, lodging \$240.00, per diem \$93.00, as requested by Marian Governor, City Clerk. CA-1.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Inv. Sergeants Barry Smith and Kyle Broadus, Sergeants Kyle Craig and Chris Williams to a two-day Gulf Coast High Intensity Drug Trafficking Are training class held September 18-19, 2019 in Biloxi, MS. Tuition is free and use of a City vehicle, as requested by Police Chief Freeman. CA-2.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Tina M. Dupree to the Municipal Court Clerks Conference at the IP in Biloxi, MS from September 11-13, 2019. Training, meals and travel are paid by the Municipal Court Clerks Association, as requested by Tina Dupree, Municipal Court Clerk. CA-3.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, Pay Application #2 in the amount of \$55,601.60 to David Rush Construction, LLC for Small Craft Harbor Unit Price Pier Repair Contract Phase II, as requested by Bob Escher, City Engineer. CA-4.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, declaring the items listed below located at the Harbor as surplus. Items are broken, not repairable and will be disposed of, as requested by Harbor Master Tiller.

- 5" Angle Grinder Asset#00110 Broke replaced with Asset#01780
- Hammer/Saw Kit Asset#00769 Broken, no battery and parts missing
- Skill saw Asset#01144 Broke replaced with Asset#03667
- HD Angle Grinder Asset#01780 Broke replaced with Asset#02312
- Body Camera #4 Asset#01973 no longer takes a charge from battery

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, declaring the following items listed below as surplus to be disposed due to equipment is no longer of use at the Harbor, as requested by Harbor Master Tiller.

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- Motorola Vehicle Radio Asset#00124 no longer needed
- Motorola Vehicle Radio Asset#00126 no longer needed
- Motorola Vehicle Radio Asset#00127 no longer needed
- Motorola Vehicle Radio Asset#00128 no longer needed
- Motorola Vehicle Radio Asset#00129 no longer needed
- Motorola Hand-held Radio Asset#00130 no longer needed
- Motorola Hand-held Radio Asset#00131 no longer needed
- Motorola Hand-held Radio Asset#00132 no longer needed
- Motorola Hand-held Radio Asset#00133 no longer needed
- Generator Asset#00101 broken part that is not able to be replaced

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CLAIMS DOCKET

Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, Claims Docket in the amount of \$245,463.99. CD-1.

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EXECUTIVE SESSION

Upon motion of Alderman Torgeson, the Board approved unanimously, to go into Closed Session to see if Executive Session is required personnel matter in Police Department.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, to come out of Closed Session.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, to go into Executive Session to discuss personnel matter in Police Department.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, to come out of Executive Session.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, to approve Officer Sullivan returning to Warrants Officer at the same rate of pay prior to his promotion to Sergeant.

Alderman Torgeson	Aye
Alderman Hall	Aye
Alderman Clarke	Aye
Alderman Pickich	Aye
Alderwoman Charlot	Absent

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, to adjourn at 6:29 p.m.

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Mayor

8-20-2019
Date

City Clerk

8-20-2019
Date